

COUNCIL FOR EDUCATION POLICY RESEARCH AND IMPROVEMENT

PROPOSED CONSTITUTIONAL AMENDMENT: UNIVERSITY GOVERNANCE

This proposed constitutional amendment would create a separate state university system. The proposed system would not be a part of the K-20 system; instead, the university system would be disconnected from the K-12 and community college systems.

Current Status

Florida is in the process of transitioning to a new education governance structure that will encompass kindergarten through graduate school. In 1998, Florida voters adopted an amendment to the State Constitution to replace the elected State Board of Education with one appointed by the Governor, effective January 2003.

To implement this provision, the Legislature created an appointed Florida Board of Education to transition the education delivery systems into a unified K-20 system. Legislation eliminated the Board of Regents (the governing board for the state university system), the State Board of Community Colleges (the coordinating board for the community college system), and other statewide boards dealing with postsecondary education (the State Board of Independent Colleges and Universities, the State Board of Non-Public Career Education, and the Postsecondary Education Planning Commission). With the exception of the Postsecondary Education Planning Commission (PEPC), the independent postsecondary research and planning entity, all the functions of these boards were transferred to the Florida Board of Education. PEPC staff were transferred to a new independent entity called the Council for Education Policy Research and Improvement, which conducts long-range planning and policy research and analysis for K-20.

The Legislature also created a local board of trustees for each of the 11 state universities. Each local board of trustees governs and sets policy for its university in accordance with law and rules of the State Board of Education.

In January 2003, the Florida Board of Education will become the State Board of Education.

Proposed Amendment

Ballot Summary

"A local board of trustees shall administer each state university. Each board shall have thirteen members dedicated to excellence in teaching, research, and service to community. A statewide governing board of seventeen members shall be responsible for the coordinated and accountable operation of the whole university system. Wasteful duplication of facilities or programs is to be avoided. Provides procedures for selection and confirmation of board members, including one student and one faculty representative per board."

Explanation of Amendment

The proposed constitutional amendment would create a single state university system, with a board of trustees administering each public university and a board of governors operating, regulating, and controlling the entire system.

The Board of Governors would consist of 17 members: fourteen would be appointed by the Governor, and confirmed by the Senate, and would serve staggered terms of seven years. In addition, the commissioner of education, the chair of the faculty senate advisory council (or the equivalent), and the president of the Florida student association (or the equivalent) would serve on the board.

The Board of Governors would define the mission of each public university and its articulation with public schools and community colleges. The Board would also have the power to allocate funds and to account for the expenditure of those funds.

Each local Board of Trustees would consist of 13 members, with six being appointed by the Governor and five by the Board of Governors; the chair of the faculty senate, or the equivalent, and the president of the student body would also be members. The powers and duties of the Boards of Trustees would be established by the Board of Governors.

Impact of Proposed Amendment

The proposed university system would not take politics out of the university system.

The influence of the Legislature would not change. When the Legislature appropriates funds to the system, restrictions could still be placed on the expenditure of those funds. In addition, the Legislature would still be setting policy through education laws.

There would be a disconnect between the university system and the rest of education. There would no longer be a unified system, with one board overseeing K-20 education.

Under the current structure, a single Board of Education provides the structure for coordination among all delivery systems, with one board being accountable for the performance of the K-20 system. Under the proposed structure, there would be two powerful boards that would not be required to work together. In fact, their policies could be contradictory, causing additional barriers to a well-coordinated, student-centered education system. The proposed Board of Governors would be accountable for only the public universities, and the current Board of Education for the remaining institutions; this fragmented approach to the delivery of education would create a disconnect between the systems, and result in a lack of accountability for the performance of the K-20 system as a whole.

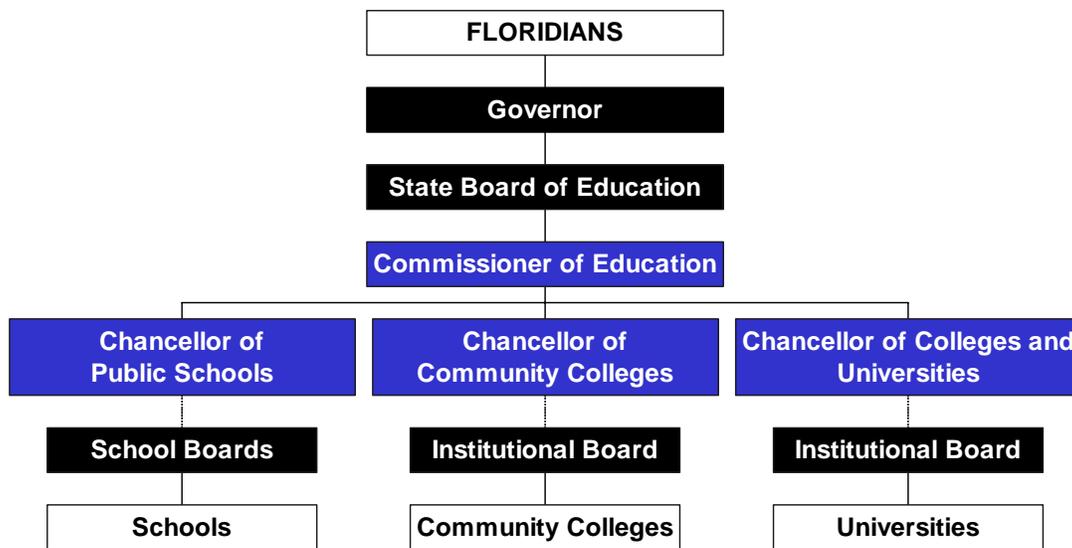
Local boards of trustees would be weakened with the establishment of a centralized university system.

Under the current system, there is a great deal of authority at the local level. Each local board of trustees governs the university and sets policy in accordance with law and rules of the State Board of Education. Under the proposed system, the local board of trustees would merely administer the university, with its specific powers and duties being established by the Board of Governors. The Board of Governors would govern the entire university system, which would centralize decision-making in the university system, yet weaken

the local boards. Since the Board of Governors would appoint five of the members of each local board, the subservience of the local board to the Board of Governors would be further punctuated.

The influence of the Governor would be decreased in the university system. The members of the current Florida Board of Education serve staggered 4-year terms and may be reappointed to serve no more than 8 consecutive years. This could make them susceptible to election cycles. While being susceptible to gubernatorial election cycles, this approach clearly places the governor in charge of education. Under the proposed amendment, each appointed member of the Board of Governors would serve a staggered seven-year term. The university system would be less influenced by the education agenda of whoever was in the Governor's office, thereby decreasing the influence of any one Governor.

Governance Structure Effective January 7, 2003 (Current Law)



Proposed Governance Structure

